

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

ANDRED CLINTON DAVIS, JR.,

Plaintiff,

v.

CIVIL ACTION NO. 2:21-cv-00106

DONALD AMES, et al.,

Defendants.

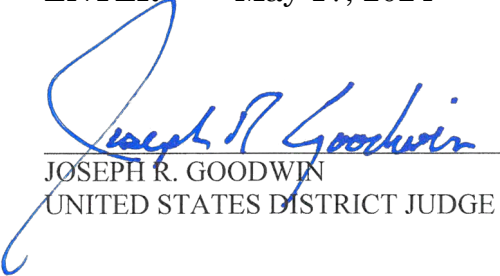
MEMORANDUM OPINION AND ORDER

Pending before the court is Plaintiff's Letter Form Motion requesting that his case be reinstated. [ECF No. 76]. Defendants Donald Ames, Jason Bragg, Jason Wooten, Margaret Clifford, and Chris Wilson (collectively, "Defendants") responded on February 2, 2024. [ECF No. 77].

On December 18, 2023, Plaintiff filed a Notice of Appeal, [ECF No. 71], of the court's November 1, 2023, Judgment Order, [ECF No. 67]. When Plaintiff filed his Notice of Appeal, this court was divested of jurisdiction over the case. *See In re GNC Corp.*, 789 F.3d 505, 512 n.5 (4th Cir. 2015) ("The timely filing of a notice of appeal is . . . 'an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.'" (quoting *Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58 (1982))).

Accordingly, Plaintiff's Letter Form Motion, [ECF No. 76], is **DENIED** because this court lacks jurisdiction. The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: May 17, 2024



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE